

THE INTERNATIONAL CENTRE FOR CRIMINAL LAW REFORM AND CRIMINAL JUSTICE POLICY

*LE CENTRE INTERNATIONAL POUR LA RÉFORME DU DROIT CRIMINEL
ET LA POLITIQUE EN MATIÈRE DE JUSTICE PÉNALE*

Newsletter

September 2009

Assisting the Ethiopian Ministry of Justice in Developing Criminal Justice Administration Policy

Ethiopia is engaged in comprehensive justice system reforms. To support and provide a firm direction for these ongoing reforms, the Ministry of Justice developed a draft *Criminal Justice Administration Policy* (CJAP). The policy covers all aspects of the criminal justice system, from community-based crime prevention, to policing, prosecution services and prison management, and proposes a comprehensive approach to justice reforms aimed at improving the efficiency, effectiveness and fairness of the criminal justice process. The Centre is working with the

Institute of Public Administration of Canada, Deployment for Democratic Development to assist the Ethiopian Ministry of Justice by providing recommendations on the proposed new national crime prevention and criminal justice policy. The new policy will support the goal of the reform: making the criminal justice system more accessible, transparent and equitable for all Ethiopian citizens. It is also a preliminary step towards comprehensive reforms to the country's Code of Penal Procedure.

Economic Fraud and Identity-Related Crime

Economic Fraud and Identity Related Crime is an ongoing priority for ICCLR, Canada and the UNODC. During this past year ICCLR, with the support from the government of Canada and the Law Foundation of BC, undertook several activities addressing the issue of Economic Fraud and Identity Related Crime including:

- Prepared and presented a paper on **Identity-Related Crime Victim Issues** that focused on range and typology of ID-related crime victims; relevant legal rights, and an inventory of best practices for victim remediation. The paper was presented to the UNODC Core Group of Experts on Identity Related Crime, and circulated as a Conference Room Paper at the 18th United Nations Crime Commission meeting in April 2009.
 - Organized an ancillary meeting on **Prevention of economic fraud and identity-related crime** at the 18th session of the UN Commission on Crime Prevention and Criminal Justice. The event was organized by ICCLR in cooperation with UNODC/Corruption and Economic Crime Section, and the National Institute of Justice of the United States.
 - Organized the symposium, **National and International Perspectives on Identity Theft and Fraud**, on June 20, 2008, in Vancouver, British Columbia, Canada. The event examined the issues and themes related to identifying and measuring the problem of identity theft and fraud; national and international perspectives on criminalization; strategies for enforcement and prevention of identity theft and fraud; and the challenges in international cooperation in the fight against identity theft and fraud. It featured several local, national and international presenters. The purpose was to support the discussions and awareness raising efforts of the then introduced Government of Canada Bill C-27 to amend the *Criminal Code* to address identity theft and fraud, as well as the ongoing work of experts based on UN Economic and Social Council Resolution 2004/26 of 21 July 2004.
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Handbook on Criminal Justice Responses to Terrorism

ICCLR assisted the UNODC with the production of the *Handbook on Criminal Justice Responses to Terrorism (2009)*. The *Handbook* is one of the products in the United Nations Office on Drugs and Crime series and was prepared by one of the ICCLR senior associates. It aims to provide law enforcement and criminal justice officials with an accessible guide to assist them in dealing with some of the key issues that they face in their efforts to

respond to terrorist and related crimes. The *Handbook* will also be of use to policymakers and political leaders in the shaping of new or enhanced counter-terrorism laws, policies and practices and is now available online at http://www.unodc.org/documents/terrorism/Handbook_on_Criminal_Justice_Responses_to_Terrorism_en.pdf

Building the Capacity of the Southern Sudan Prisons Service

A specific need has been identified by the Government of Southern Sudan (GoSS) for assistance in building the capacity of prison management to lead the process of prison reform; including enhancing the capacity of the Southern Sudan Prisons Service (SSPS) to respond more effectively to the needs and circumstances of children, women and other groups in prison with special needs. The Southern Sudan Prison Reform Project is building the capacity of the Prisons Service as a whole to respond more effectively to the needs and circumstances of those

groups within the prison population with special needs.

The Centre and UNODC, supported by the Government of Canada, are continuing to deliver a programme with the United Nations Mission in Sudan (UNMIS) and the Government of Southern Sudan to enhance the capacity of the Southern Sudan Prisons Service (SSPS) to respond more effectively to the needs and circumstances of children, women and other groups of prisoners with special needs.

Promoting Effective International Cooperation in Tackling Transnational Organized Crime and Corruption

The ICCLR and the UNODC, with the financial support of Canada, continued their work on the development of an omnibus survey to facilitate reporting by States Parties to the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption. In February 2009 ICCLR and UNODC organized an Expert Group Meeting on the Omnibus Survey Software to gather Information on the Implementation of the United Nations Convention against Corruption and the United Nations Convention against Transnational Organized Crime and its Three Protocols, Vienna, February 2009.

This year the focus of the ICCLR component of the project will be to further support efforts to promote the use of the self-assessment application (software) to assist the Conference of States Parties in gathering information on the implementation of the Convention, on implementation shortcomings and technical assistance requirements, particularly with regards to the Americas (Central America, Caribbean and the Pacific Island nations). An expert meeting is proposed for September 2009 in Canada.

Eliminating Violence against Women

ICCLR has continued to assist Canada and the UNODC on eliminating violence against women. During the past year the Centre assisted with the drafting of a revised and updated version of the 1997 Model Strategies and Practical Measures on the Elimination of Violence Against Women in the Field of Crime Prevention and Criminal Justice (Model Strategies).

In addition, an ICCLR associate presented on the ongoing work of the review and update of the *Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice* at the 53rd Session of the Commission on

the Status of Women meetings in New York on March 4, 2009 at the United Nations Headquarters.

A joint dialogue was organized by the Commission on the Status of Women and the Commission on Crime Prevention and Criminal Justice. The dialogue provided an opportunity for the two Commissions to enhance collaboration in their work on violence against women. Representatives from Member States, entities of the UN system and non-governmental organizations heard presentations focusing on developments and initiatives in the area of legislative reform on violence against women.

Addressing Inefficiencies in the Criminal Justice Process: A Preliminary Review

The International Centre for Criminal Law Reform and Criminal Justice Policy has prepared the report *Addressing Inefficiencies in the Criminal Justice Process – A Preliminary Review*, in September 2008 for the Criminal Justice Reform Secretariat of the Ministry of the Attorney General of British Columbia.

Inefficiencies impede all justice systems throughout the world to varying degrees. The cumulative effect of inefficiencies can have a significant impact on access to justice within a society. In an effort to assist the Government of British Columbia with its commitment to address inefficiencies in the legal system, ICCLR has begun a programme on its broad review of the efficiency challenges in respect of criminal justice. Other Canadian jurisdictions, federally, provincially and territorially, are also exploring ways of improving the efficiencies in the justice

system throughout the country. There is consensus that encounters with the Canadian criminal justice system are too lengthy, too costly and too complex, and that these factors are inter-related.

The British Columbia Justice Efficiencies Project assisted with research and the development of plans of action to be taken provincially, as well as at the national or federal level to accomplish better efficiencies. Consideration of these challenges took into account the full range of justice processes, including police investigations, early case consideration, court processes and correctional procedures. The intent, however, was not to do a comprehensive review of each of these aspects of the criminal justice process, but to determine whether there are key points in the system that pose serious barriers to efficiency.

Mental Health and Substance Use Services in Correctional Settings: A Review of Minimum Standards and Best Practices

The International Centre conducted preliminary research to confirm and identify the most pressing issues, priorities, and current practices; explore the development of best practices manuals and the feasibility of establishing minimum standards for the provision of mental health care in corrections, and the broader criminal justice system.

A small team of associates from the Centre worked with an advisory committee to begin the process. The Advisory Group consisted of experts from Corrections and others across the criminal justice and health care systems. Consideration was given to the suggestion of establishing focus groups of persons, including, but not limited to health, policing, corrections, and the courts, with interest and expertise in criminal justice/mental health issues.

Three meetings were convened to build on the advice of the Advisory Committee and to:

1. confirm and clarify mental health related issues of critical importance to their organizations,

2. identify issues that will require further exploration, and
3. identify improvements that could be made to enhance services and supports for this group.

At the same time the Centre undertook a review of best-practice literature in relation to the minimum standards for the provision of mental health and substance use services in both institutional and community corrections settings. The review was published in March 2009 and includes a review of best-practice literature in relation to minimum standards for the provision of mental health and substance use services in correctional settings – both within Canada and internationally, particularly Australia, New Zealand, the United States, and members of the European Union. The review also includes standards for assessment and treatment services in relation to mental disorders, problem substance use, and neuro-cognitive impairments. The review was produced with the support of the International Corrections Programme.

International Centre for Criminal Law Reform and Criminal Justice Policy

The International Centre for Criminal Law Reform and Criminal Justice Policy ("ICCLR" or the "Centre") is an independent, international institute based in Vancouver, Canada. Founded in 1991, ICCLR is a joint initiative of the Government of Canada, University of British Columbia, Simon Fraser University, the International Society for the Reform of Criminal Law, and the Province of British Columbia. It is officially affiliated with the United Nations ("UN") pursuant to a formal agreement in 1995 between the Government of Canada and the UN. Through its activities, the Centre contributes to the priorities of Canada and the United Nations in the field of criminal law and criminal justice.

The Centre is incorporated under the *B.C. Societies Act* and is registered as a charitable, non-profit institution in both Canada and the United States. It relies upon financial support from foundations, individuals, government and academic institutions.

The mandate of the Centre is to promote the rule of

law, democracy, human rights, and good governance in criminal law and the administration of criminal justice, domestically, regionally and globally. Ensuring an effective and fair justice system and institutional accountability are principles that guide ICCLR's work. The Centre's goals include helping departments, organizations and individuals understand the importance of international cooperation and mutual assistance in the fight against serious crimes, as well as promoting effective international cooperation in tackling crime. In emphasizing the role of criminal law and the importance of criminal justice reform as essential means of promulgating these principles, ICCLR strives to give these values practical expression in the face of challenges confronted not only by Canadians but by people of all countries due to national and transnational crime. The underlying premise of ICCLR's efforts is that a fair, responsible, ethical and efficient criminal justice system forms the foundation for economic development, social progression and human security.

Overview of ICCLR Programmes

Economic Fraud and Identity Related Crime
Efficiency and Fairness in the Criminal Justice System
Rule of Law and Human Rights
Anti-Corruption
Elimination of Violence against Women
Counter Terrorism
International Criminal Court
Restorative Justice
Transnational Organized Crime
Firearms Protocol
Corrections Reform
International Standards and Norms in Criminal Justice
Victims
Young Offenders
Civilian Police – Peacekeeping

Southern Sudan Prison Reform
Law Enforcement and Prosecutorial Cooperation
Human Trafficking
Child Protection
Justice and Public Security
Drugs in BC
Financial Fraud
Law in a Fearful Society
Technical Assistance
Public Outreach
Visiting Scholars
International Lecture Series
International Cooperation
Marijuana Grow-Op Study
Money Laundering

Donation

ICCLR is registered in both Canada and the United States as a not-for-profit organisation. It relies upon financial support from foundations, academic institutions, governments and individual donations. The Centre issues official receipts for all tax-deductible donations.

**The International Centre for Criminal Law Reform and
Criminal Justice Policy (ICCLR) /
Le Centre international pour la réforme du droit criminel
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